

FEB 19 2003

Atty. Dkt. No. 087714-0113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thyagarajan SRIKANATHA et al.
Title: CANDIDA ALBICANS TWO-COMPONENT
HYBRID KINASE GENE, CANIK1, AND USE
THEREOF
Appln. No.: 09/424,951
Filing Date: January 20, 2000
Examiner: David A. Lambertson
Art Unit: 1636

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RESPONSE AND AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Advisory Action dated February 5, 2003, Applicants again request that the specification be amended in view of the attached Declaration Under 37 CFR 1.132:

IN THE SPECIFICATION

On page 1, on the line immediately beneath the title, please insert:

--This application describes microorganisms that have been deposited, in accordance with the Budapest Treaty, under ATCC Patent Deposit Designation: PTA-4456, with the following Deposit Identification Reference: Bacteriophage lambda EMBL3: Ca lambda 15.1.--

REMARKS

The present invention relates to microorganisms. In accordance with the Examiner's recommendation, Applicants have amended the specification to incorporate the ATCC strain number in reference to the bacteriophage.

The Examiner rejected claim 20 under 35 USC § 112, first paragraph, because evidence of a biological deposit was not provided. Applicants' attorney of record has attached a Declaration Under 37 CFR 1.132 attesting to the deposit in accordance with the Budapest Treaty.

Applicants now submit that the application is in condition for allowance.

Respectfully submitted,

Date 19 February 2003

By S. A. Bent

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